

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, OCTOBER 9, 2018,
BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, 1 NORTH SAN
ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

ESTABLISH QUORUM

PRESENT: Mayor Mordo, Vice Mayor Lee Eng, Councilmembers Bruins, Pepper and Prochnow

ABSENT: None

PLEDGE OF ALLEGIANCE

CHANGES TO THE ORDER OF THE AGENDA

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Los Altos resident Bill Bassett and Mountain View resident Asim Praveen provided public comment on items not on the agenda.

CONSENT CALENDAR

Vice Mayor Lee Eng pulled item 4. A member of the public pulled item 5.

Action: Upon a motion by Councilmember Pepper, seconded by Councilmember Bruins, the Council unanimously approved the Consent Calendar, with the exception of Items 4 and 5, as follows:

1. Council Minutes: Approved the minutes of the September 25, 2018 regular meeting.
2. Parcel Map: 962 Acacia Avenue: Approved Parcel Map for 962 Acacia Avenue.
3. Quarterly Investment Portfolio Report – Quarter ended June 30, 2018: Received the Investment Portfolio Report through June 30, 2018.
4. Ordinance No. 2018-450: Zoning Code Amendments regarding the disposition of City-owned property: Adopt Ordinance No. 2018-450 regarding the disposition of City-owned property with an “Other Open Space” and “Parks” land use designation – *pulled for discussion (see page 3)*.
5. Ordinance No. 2018-451: Cannabis Prohibition: Adopt Ordinance No. 2018-451 clarifying the prohibition of all medical and adult-use commercial cannabis activities and limit cultivation for personal use in Los Altos – *pulled for discussion (see page 2)*.
6. Ordinance No. 2018-452: Stormwater Pollution Prevention: Adopted Ordinance No. 2018-452 amending Los Altos Municipal Code Chapter 10.16 Stormwater Pollution Prevention Measures

to reflect current stormwater pollution prevention requirements for land development projects mandated by the Regional Water Quality Control Board.

7. Annual Concrete Repair Project, TS-01005: Authorized the City Manager to execute a change order of up to \$78,308.00 utilizing remaining funds in the Annual Concrete Repair Project, TS-01005.
8. Los Altos Village Association Tree Lighting Funding Request: Approved the \$9,000 expenditure request by LAVA to be used towards the purchase of LED light strands for the trees along Main Street, State Street, and the parking plazas in Downtown Los Altos.

ITEM REMOVED FROM CONSENT CALENDAR

5. Ordinance No. 2018-451: Cannabis Prohibition: Adopt Ordinance No. 2018-451 clarifying the prohibition of all medical and adult-use commercial cannabis activities and limit cultivation for personal use in Los Altos

Public Comment: Los Altos resident Ken Elchert provided public comment.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Pepper, the Council adopted Ordinance No. 2018-541 clarifying the prohibition of all medical and adult-use commercial cannabis activities and limit cultivation for personal use in Los Altos by the following vote: AYES: Bruins, Lee Eng, Mordo, Pepper; NOES: Prochnow; ABSTAIN: None; ABSENT: None

Direction: Council directed staff to craft a section to address ventilation, nuisance and odor issues and to move the amended Ordinance through the regular planning process as soon as possible. City Attorney will provide the Council with the amendment language via email prior to presenting to the Planning Commission to ensure it meets Council's expectations.

DISCUSSION ITEMS

9. Stormwater Fee Report: Approve the structure of the Stormwater Fees and findings of the Stormwater Fee Report; authorize staff to work in consultation with the City Attorney and the Rate Consultant to finalize the Stormwater Fee Report with such changes deemed advisable and not altering the structure of the Stormwater Fees; adopt Resolution No. 2018-39 initiating a proceeding to obtain approval of a property-related fee conforming to Article XIII D, Section 6 of the Constitution; adopt Resolution 2018-40 adopting ballot procedures for a property related fee conforming to Article XIII D, Section 6 of the Constitution

Public Works Director Susanna Chan and Jerry Bradshaw of SCI Consulting Group presented the report.

Public Comment: Los Altos resident Neha Deysai provided public comment.

Action: Upon a motion by Councilmember Bruins, seconded by Vice Mayor Lee Eng, the Council unanimously approved the structure of the Stormwater Fees and findings of the Stormwater Fee

Report; authorized staff to work in consultation with the City Attorney and the Rate Consultant to finalize the Stormwater Fee Report with such changes deemed advisable and not altering the structure of the Stormwater Fees; adopted Resolution No. 2018-39 initiating a proceeding to obtain approval of a property-related fee conforming to Article XIII D, Section 6 of the Constitution; adopted Resolution 2018-40 adopting ballot procedures for a property related fee conforming to Article XIII D, Section 6 of the Constitution.

ITEM REMOVED FROM CONSENT CALENDAR

4. Ordinance No. 2018-450: Zoning Code Amendments regarding the disposition of City-owned property: Adopt Ordinance No. 2018-450 regarding the disposition of City-owned property with an “Other Open Space” and “Parks” land use designation

Vice Mayor Lee Eng expressed concerns that the Ordinance does not protect all public lands.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Prochnow, the Council adopted Ordinance No. 2018-450 regarding the disposition of City-owned property with an “Other Open Space” and “Parks” land use designation by the following vote: AYES: Bruins, Mordo, Pepper, Prochnow; NOES: Lee Eng; ABSTAIN: None; ABSENT: None.

STUDY SESSION

10. Review of Floor Area Ratios: Discuss and provide direction to staff

Community Development Director Jon Biggs introduced the item.

Public Comment: The following individuals provided public comment: Huascar Castro from Silicon Valley at Home (SV@Home) and Los Altos residents Anita Enander and Sue Russell.

Direction: City Council directed staff to coordinate a study session of the Planning Commission on Floor Area Ratios (FAR) in concert with the recommendations provided by the Downtown Buildings Committee to identify lessons learned and to have the Commission evaluate options and develop draft recommendations on the various tools that can be implemented to achieve the desired look and feel of future development in the City.

INFORMATION ONLY ITEM

- A. City Manager-approved purchases between \$50,000 and \$75,000 for the period July 1 – September 30, 2018
- B. City-owned property table

Direction: City Council directed staff to begin the process of cleaning up parcels listed in the table that have inappropriate land use designations, designating appropriately as “Park” or “Other Open Space” and, where necessary, taking these clean-ups through the planning process.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Councilmember Prochnow reported that she attended the Youth and Senior Commission meetings on October 1, 2018.

Vice Mayor Lee Eng reported that she attended her usual Commission meetings.

Councilmember Bruins reminded the Council that there is a Waymo Community Forum at Grant Park on October 17, 2018 from 12:30 to 2:30 p.m. She reported that she attended her usual meetings and held Open Office Hours. She further reported that the American Legion would be celebrating its 80th Anniversary in November 2018 and requested that the mayor issue a proclamation. Finally, she updated the City Council on the development of a Housing Incentive Pool (HIP) program by Metropolitan Transportation Commission (MTC).

Councilmember Pepper reported that she attended the Sierra Club *Guardians of Nature* event honoring Santa Clara County Supervisor Joe Simitian and that she moderated a League of Women Voters candidate forum for the Los Altos School District.

City Manager Jordan reminded the Council that its next meeting will be October 23, 2018 and will include joint meetings with six of the City Commissions beginning at 5:00 p.m. and a regular meeting consisting of a short Consent Calendar. He also reminded the Council that multiple closed sessions will take place beginning at 5:00 p.m. on October 30, 2018.

ADJOURNMENT

Mayor Mordo adjourned the meeting at 9:18p.m.

Jean Mordo, MAYOR

Jon Maginot, CMC, CITY CLERK

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ESTABLISH QUORUM

PRESENT: Mayor Mordo, Vice Mayor Lee Eng, Councilmembers Bruins, Pepper and Prochnow

ABSENT: None

PLEDGE OF ALLEGIANCE

Presented by Junior Girl Scouts, Troop 60402

CHANGES TO THE ORDER OF THE AGENDA

None

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None

CONSENT CALENDAR

The Council continued item 1 to a future meeting.

Members of the public pulled item 2.

Vice Mayor Lee Eng pulled item 3.

1. Council Minutes: Approve the minutes of the October 9, 2018 study session and regular meeting to the November 13, 2018 meeting.

Continued to a future meeting.

2. Environmental Consulting Services for 5150 El Camino Real: Authorize the City Manager to execute a professional services agreement with David J. Powers & Associates, Inc. to provide environmental consulting services related to the development application at 5150 El Camino Real for an amount not to exceed \$111,000 – *pulled for discussion (see below)*.
3. Los Altos Guidelines for Public Art: Adopt the City of Los Altos Guidelines for Public Art – *pulled for discussion (see page 2)*.

ITEMS PULLED FROM CONSENT CALENDAR

2. Environmental Consulting Services for 5150 El Camino Real: Authorize the City Manager to execute a professional services agreement with David J. Powers & Associates, Inc. to provide

environmental consulting services related to the development application at 5150 El Camino Real for an amount not to exceed \$111,000

Public Comment: The following individuals provided public comment: Los Altos residents Edith Huang, Phan Truong, Pierre Bedard, Clara Roa and Anita Enander.

Community Development Director Jon Biggs recommended the Council modify the motion to approve the funding for the initial environmental study that will lead to the appropriate additional next environmental step, for an amount not to exceed \$111,000.

Action: Upon a motion by Councilmember Bruins, seconded by Vice Mayor Lee Eng, the Council unanimously authorized the City Manager to execute a professional services agreement with David J. Powers & Associates, Inc. to provide environmental consulting services related to the development application at 5150 El Camino Real for an amount not to exceed \$111,000, with the understanding that the services are to take the project through the environmental review process and based on the findings, produce the appropriate environmental document.

3. Los Altos Guidelines for Public Art: Adopt the City of Los Altos Guidelines for Public Art

Action: Upon a motion by Councilmember Pepper, seconded by Councilmember Prochnow, the Council unanimously adopted the City of Los Altos Guidelines for Public Art with the direction that was provided during the October 23, 2018 joint meeting with the Public Arts Commission.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

City Manager Chris Jordan reminded the Council of the closed session scheduled for October 30, 2018, beginning at 5:00 pm and the study session and regular meeting scheduled for November 13, 2018, beginning at 6:00 pm and 7:00 pm, respectively.

ADJOURNMENT

Mayor Mordo adjourned the meeting at 7:38p.m.

Jean Mordo, MAYOR

Jon Maginot, CMC, CITY CLERK